

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

| | | |
|--|---|---------------------------------|
| SHARON HOOKS, | : | Case No. |
| | : | |
| Plaintiff, | : | Hon. |
| | : | |
| vs. | : | <u>NOTICE OF REMOVAL</u> |
| | : | |
| WAFFLE HOUSE, UNIT 1544, <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | |

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendants Waffle House Unit 1544¹, and Waffle House Inc., file this Notice of Removal of this action from the Court of Common Pleas for Lucas County, Ohio, where it is now pending, to the United States District Court for the Northern District of Ohio, Western Division.

1. This action was filed in the Lucas County Common Pleas Court on May 16, 2022, docketed as *Sharon Hooks v. Waffle House Unit 1544, Inc., et al.*, and assigned Case No. CI-202202385

2. The Summons and Complaint were issued upon all Defendants on May 19, 2022. This Notice of Removal is being filed within thirty (30) days after receipt of service and is therefore timely filed in accordance with 28 U.S.C. §1446(b).

3. This case is removable under 28 U.S.C. § 1441(b). This Court has jurisdiction in this case pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship of the parties and the amount in controversy based on the damages sought in the Complaint exceeds the sum of \$75,000.00.

1. As asserted in Paragraph Two of Defendants' Answer, Waffle House, Unit 1544 is a fictional name. No entity named "Waffle House Unit 1544" exists.

4. According to the Complaint, Plaintiff is a resident and citizen of Ohio.

5. Defendant Waffle House, Inc., is a for profit corporation organized and existing under the laws of the State of Georgia with a principal place of business located at 5986 Financial Drive Norcross, Georgia 30071.

6. The Complaint describes an amount in controversy that exceeds \$75,000.00. Without admitting the validity or sufficiency of the alleged damages, and upon information and belief, the amount of damages alleged would exceed the jurisdictional requirement.

7. Copies of all process, pleadings, and orders served upon Defendants in this action are attached hereto as *Exhibit A* pursuant to 28 U.S.C. § 1446(a).

WHEREFORE, Defendants, Waffle House, Unit 1544 and Waffle House Inc., hereby request the Court enter this case on its docket and entertain such further proceedings herein as may be proper and authorized by law.

Respectfully submitted,

/s/Justin R. Harris
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Counsel for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by operation of this Court's Electronic Filing System as well as by email upon D. Lee Johnson (lee@leejohnsonlegal.com) and Andrew B. Wobser (andrew@leejohnsonlegal.com) June 17, 2022.

/s/ Justin R. Harris
Justin R. Harris
REMINER CO., L.P.A.